

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT MAINTENANCE
OFFICE

2006 MAR 10 PM 4:52

In re Application of

Jean-Louis Baffier, et al.

Confirmation No.: 2420

US PATENT & TRADEMARK
OFFICE

Serial No.: 09/872,235

Group Art Unit: 2167

Filed: May 31, 2001

Examiner: Miranda Le

For: TECHNIQUES FOR AUTOMATICALLY PROVISIONING A DATABASE OVER A
WIDE AREA NETWORK

REQUEST FOR REFUND

Mail Stop 16

Director of the US Patent and Trademark Office

P. O. Box 1450

Alexandria, VA 22313-1450

Sir:

A Request for Continued Examination (RCE) for the above-referenced patent application was filed on September 27, 2005. Payment in the amount of \$1,240.00 was presented in a check for the RCE fee (\$790.00) and 2-month Extension of Time fee (\$450.00). It was recently discovered that Applicant overpaid the extension fee by \$330.00. A one-month extension fee of \$120.00 should have been paid.

The Final Office Action was mailed on May 20, 2005. An Amendment After Final was filed with the U.S. Patent and Trademark Office on July 20, 2005. Lastly, the Advisory Action was mailed on September 15, 2005.


Hence, because the Amendment After Final was filed within TWO MONTHS of the mailing date of the Final Office Action, and the Advisory Action was not mailed until after the end of the THREE MONTH shortened statutory period, the shortened statutory period expired on the mailing date of the Advisory Action, and any extension fees are calculated from the mailing date of the Advisory Action. Therefore, the deadline in which to reply to the Advisory Action was due September 15, 2005 or October 15, 2005 with payment of a one-month extension fee.

It is requested that the difference in extension fees of \$330.00 now be refunded and credited to Deposit Account No. 50-1302 in the above-referenced patent application. A copy of the Request for Continued Examination (RCE) Transmittal, Return Postcard acknowledging receipt by the U.S. Patent and Trademark Office on September 30, 2005, and check number 006327 in the amount of \$1,240.00 as filed on September 27, 2005, are submitted herewith.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP

Date: March 6, 2006



Christopher J. Brokaw
Reg. No. 45,620

Hickman Palermo Truong & Becker LLP
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San Jose, California 95110-1089
Tel: (408) 414-1080, ext. 225
Fax: (408) 414-1076

CERTIFICATE OF MAILING

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On March 6, 2006

by 
Angelica Maloney

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number 09/872,235

Filing Date May 31, 2001

First Named Inventor Jean-Louis Baffler

Group Art Unit 2167

Examiner Name Miranda Le

Attorney Docket Number 50277-1511

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on July 20, 2005.
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
- iii. ☐ Other _____
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____


2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR. § 1.17(i) required)
- b. ☐ Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

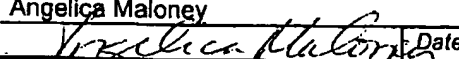
- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1302
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ 2-month Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 1,240.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Christopher J. Brokaw	Registration No. (Attorney/Agent)	45,620
Signature		Date	September 27, 2005

CERTIFICATE OF MAILING OR TRANSMISSION

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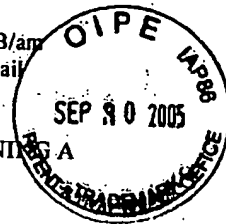
Attorney Docket No. 50277-1511

Serial No.: 09/872,235

Inventor(s): Jean-Louis Baffier, et al.

Title: TECHNIQUES FOR AUTOMATICALLY PROVISIONING A
DATABASE OVER A WIDE AREA NETWORK

Attorney: CJB/am
First Class Mail



Documents Enclosed:

DATE
BASE
ENTER

- 1) Request for Continued Examination (RCE) Transmittal w/ Fee Authorization (1 pg)
- 2) Copy of Amendment After Final previously filed on July 20, 2005 (31 pgs)
- 3) A check in the amount of \$1,240.00
- 4) Return Acknowledgment Postcard

Kindly stamp the receipt date and return to address to acknowledge receipt of the above documents.

OID-2000-058-01

DOCKETED

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HICKMAN PALERMO THUONG & BECKER LLP

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SAN JOSE, CA 95110

HERITAGE BANK OF COMMERCE
SAN JOSE, CA 95113

90-4228/1211

006327

9-27-05

TO THE
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Commissioner for Patents and Trademarks ***** \$ 1,240.00

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Docket No. 50277-1511

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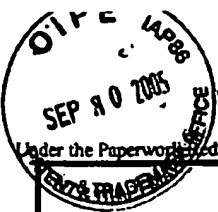
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Approved for use through 10/31/2002. OMB #651-0031

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Application Number	09/872,235
Filing Date	May 31, 2001
First Named Inventor	Jean-Louis Baffier
Group Art Unit	2167
Examiner Name	Miranda Le
Attorney Docket Number	50277-1511

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b. ☐ Enclosed

i. ☐ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other _____

10/03/2005 HBIZUNES 00000019 09872235

01 FC:1801 790.00 OP

10/03/2005 HBIZUNES 00000019 09872235

02 FC:1252 450.00 OP

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR § 1.17(i) required)

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Name (Print/Type)	Christopher J. Brokaw	Registration No. (Attorney/Agent)	45,620
Signature		Date	September 27, 2005

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Name (Print/Type)	Angelica Maloney	Date	September 27, 2005
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OID-2000-058-01

Adjustment date: 03/24/2006 SDIRETA1
10/03/2005 HBIZUNES 00000019 09872235
02 FC:1252 -450.00 OP

03/24/2006 SDIRETA1 00000003 09872235

01 FC:1251 120.00 OP

Rep'n. Ref: 03/24/2006 SDIRETA1 0001051900
DAH:501302 Name/Number: 09872235
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